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PATENT  
Attorney Docket No.: S-9

On Oct. 9, 2003  
By Kate Gryn

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue application of:  
6,602,248

First Named Inventor: Lewis Sharps

Issue Date: August 5, 2003

For: Methods For Repairing Damaged  
Intervertebral Discs

Examiner:

Art Unit: 3739

**INFORMATION DISCLOSURE  
STATEMENT UNDER  
37 CFR §1.97 and §1.98**

Mail Stop Reissue  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. A copy of each is enclosed.

It is respectfully requested that the cited information be considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue there from.

This IDS is being filed before the mailing date of the first Office Action on the merits. Accordingly, Applicants believe that no fee is necessary. Should a fee be deemed necessary for submission of this IDS, the Commissioner is authorized to charge the required fee to Deposit Account No. 50-0359.

Respectfully submitted,

Richard R. Batt  
Richard R. Batt  
Reg. No. 43,485

10/8/03  
Date

ArthroCare Corporation  
680 Vaqueros Ave.  
Sunnyvale, CA 94085-3523  
(408) 736-0224



FORM PTO-1449 (Modified)  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			Attorney Docket No. S-9		Original Patent No.: 6,602,248	
			First Named Inventor: Lewis Sharps			
			Issue Date: 08/05/03		Group: 3739	
Reference Designation <span style="float: right;">U.S. PATENT DOCUMENTS</span>						
Examiner Initial	Document No.	Date	Name	Class	Sub- class	Filing Date
FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub- class	Translation (yes/no)
___ AW	WO 95/34259 ✓	12/21/95	WIPO	A61F	5/48	
___ AX	WO 93/13816 ✓	07/22/93	WIPO	A61B	17/36	
___ AY	WO 90/07303 ✓	07/12/90	WIPO	A61B	17/39	
___ AZ	WO 94/04220 ✓	03/03/94	WIPO	yes	A61N	1/06
___ BA	0 740 926 A2 ✓	11/06/96	EP	A61B	17/39	
___ BB	96/00042 ✓	01/04/96	WIPO	A61B	17/39	
___ BC	97/24073 ✓	07/10/97	WIPO	A61B	17/39	
___ BD	97/24993 ✓	07/17/97	WIPO	A61B	17/39	
___ BE	97/24994 ✓	07/17/97	WIPO	A61B	17/39	
___ BF	97/48346 ✓	12/24/97	WIPO	A61B	17/39	
___ BG	98/07468 ✓	02/26/98	WIPO	A61N	1/40	
___ BH	2 308 979 ✓	07/16/97	GB	A61B	17/36	
___ BI	2 308 980 ✓	07/16/97	GB	A61B	17/36	
___ BJ	2 308 981 ✓	07/16/97	GB	A61B	17/36	
___ BK	57-117843 ✓	07/22/82	JP	A61B	17/39	
___ BL	99/51158 ✓	10/14/99	WIPO	A61B	17/39	
___ BM	99/51155 ✓	10/14/99	WIPO	A61B	17/36	
___ BN	98/27879 ✓	07/02/98	WIPO	A61B	17/36	
___ BO	WO 97/24074 ✓	07/10/97	WIPO	A61B	17/39	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ BP	Kramolowsky et al. <i>J. of Urology</i> Vol. 146, pp. 669-674 (1991).					
___ BQ	Slager et al. <i>Z. Kardiol.</i> 76:Suppl. 6, 67-71 (1987).					
___ BR	Slager et al. <i>JACC</i> 5(6):1382-6 (1985).					
___ BS	Olsen MD, Bipolar Laparoscopic Cholecstectomy Lecture (marked confidential), 10/07/91					
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
___ BT	90/03152	✓ 04/05/90	WIPO	A61B	17/39	
___ BU	2313949	✓ 01/07/77	France	A61N	3/02	
	93/20747	✓ 10/28/93	WIPO	A61B	5/00	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ BV	Codman & Shurtleff, Inc. "The Malis Bipolar Electrosurgical System CMC-III Instruction Manual" 7/1991					
___ BW	Valley Forge's New Products, CLINICA, 475, 5, 11/6/91					
___ BX	Valley Forge Scientific Corp., "Summary of Safety and Effective Information from 510K," 1991					
___ BY	Codman & Shurtleff, Inc. "The Malis Bipolar Coagulating and Bipolar Cutting System CMC-II" brochure, early 1991					
___ BZ	L. Malis, "The Value of Irrigation During Bipolar Coagulation" See ARTC 21602, early 4/9/93					
___ CA	L. Malis, "Excerpted from a seminar by Leonard I. Malis, M.D. at the 1995 American Association of Neurological Surgeons Meeting," 1995					
___ CB	L. Malis, "Electrosurgery, Technical Note," <i>J. Neursurg.</i> , Vol. 85, 970-975, 11/96					
___ CC	Ian E. Shuman, "Bipolar Versus Monopolar Electrosurgery: Clinical Applications," <i>Dentistry Today</i> , Vol. 20, No. 12, 12/01					
___ CC	Protell et al., "Computer-Assisted Electrocoagulation: Bipolar v. Monopolar in the Treatment of Experimental Canine Gastric Ulcer Bleeding," <i>Gastroenterology</i> Vol. 80, No. 3, pp. 451-455					
___ CE	Cook and Webster, "Therapeutic Medical Devices: Application and Design," 1982					
___ CF	Valleylab SSE2L Instruction Manual, 1/6/83					
___ CG	Robert D. Tucker et al., "Demodulated Low Frequency Currents from Electrosurgical Procedures," <i>Surgery, Gynecology and Obstetrics</i> , 159:39-43, 1984					
___ CH	Lu, et al., "Electrical Thermal Angioplasty: Catheter Design Features, In Vitro Tissue Ablation Studies and In Vitro Experimental Findings," <i>Am J. Cardiol</i> Vol. 60, pp. 1117-1122					
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<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
___ CH	Selikowitz & LaCourse, "Electric Current and Voltage Recordings on the Myocardium During Electrosurgical Procedures in Canines," <i>Surgery, Gynecology &amp; Obstetrics</i> , Vol. 164, 219-224, March 1987					
___ CI	J. O'Malley, Schaum's Outline of Theory and Problems of Basic Circuit Analysis, McGraw-Hill, 2 <sup>nd</sup> Ed., 1992, pp. 3-5					
___ CJ	Arnaud Wattiez et al., "Electrosurgery in Operative Endoscopy," <i>Electrosurgical Effects</i> , Blackwell Science, pp. 85-93, 1995					
___ CK	Leslie A. Geddes, "Medical Device Accidents: With Illustrative Cases" CRC Press, 1998					
___ CL	Wyeth, "Electrosurgical Unit" pp. 1181-1202					
___ CM	C.P. Swain, et al., <i>Gut</i> Vol. 25, pp. 1424-1431 (1984)					
___ CN	Piercey et al., <i>Gastroenterology</i> Vol. 74(3), pp. 527-534 (1978)					
___ CO	A.K. Dobbie <i>Bio-Medical Engineering</i> Vol. 4, pp. 206-216 (1969)					
___ CP	B. Lee et al. <i>JACC</i> Vol. 13(5), pp. 1167-1175 (1989)					
___ CQ	K. Barry et al. <i>American Heart Journal</i> Vol. 117, pp. 332-341 (1982)					
___ CQ	W. Honig <i>IEEE</i> pp. 58-65 (1975)					
___ CS	Jacob Kline, <i>Handbook of Biomedical Engineering</i> , Academic Press Inc., N.Y., pp. 98-113, 1988					
___ CT	M.B. Dennis et al. "Evolution of Electrofulguration in Control of Bleeding of Experimental Gastric Ulcers," <i>Digestive Diseases and Sciences</i> , Vol. 24, No. 11, 845-848					
___ CU	Letter from Department of Health to Jerry Malis dated April 15, 1985					
___ CV	Letter from Jerry Malis to FDA dated July 25, 1985					
___ CW	Letter from Department of Health to Jerry Malis dated 04/22/91					
___ CX	Leonard Malis, "Instrumentation for Microvascular Neurosurgery" <i>Cerebrovascular Surgery</i> , Vol 1, 245-260, 1985.					
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